

CHIROPRACTIC EXAMINING BOARD
REGULAR MEETING
DECEMBER 14, 2000

MEMBERS PRESENT: Dale Strama, DC; James Rosemeyer, DC; James Greenwald, DC;
Char Glocke; Bevier Hasbrouck Sleight, III, DC

MEMBER EXCUSED: Susan Feith

LEGAL COUNSEL: John Schweitzer

STAFF PRESENT: Patrick D. Braatz, Karen Rude-Evans

GUESTS: Valerie Monogue, WCA; Ron Hermes, WPTA

CALL TO ORDER

Chair Dale Strama called the meeting to order at 9:02 a.m.

APPROVAL OF AGENDA

Amendments: -Letter from Dr. James Appel
-Review of application – Susan L. Breitbach

MOTION: Bevier Sleight moved, seconded by James Greenwald, to approve the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF TELECONFERENCE OF SEPTEMBER 29, 2000

MOTION: James Rosemeyer moved, seconded by James Greenwald, to approve the Minutes of the September 29, 2000 Teleconference as written. Motion carried unanimously.

APPROVAL OF MINUTES OF OCTOBER 12, 2000

MOTION: James Rosemeyer moved, seconded by James Greenwald, to approve the Minutes of October 12, 2000 as written. Motion carried unanimously.

SECRETARY CUMMINGS

Secretary Cummings was not available.

PRESENTATION OF PROPOSED STIPULATIONS

There were no stipulations.

REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES

These reports were informational.

SUPPORT DELINQUENCY PROGRAM

Patrick Braatz explained the Support Delinquency Program to the Board. This became effective November 1, 2000.

MOTION: Bevier Sleight moved, seconded by James Rosemeyer, to authorize the bureau director, or, in his or her absence, the division administrator, or, in his or her absence, the deputy secretary, to sign notices sent to individuals who have been certified to DRL by DWD as being delinquent in support or non-compliant with subpoenas or warrants. Motion carried unanimously.

BOARD MEMBERS TESTIFYING AS EXPERT WITNESSES

The Ethics Board has issued an opinion that Board members should not testify as an expert witness in court. If a Board member is asked to be an expert witness, the Board member should contact the Ethics Board for guidance.

CORRESPONDENCE RELATING TO CE REQUIREMENTS

The Board reviewed all correspondence and the concerns have been noted.

MOTION: Char Glocke moved, seconded by Bevier Sleight, to require publication in the *Regulatory Digest* any changes in CE requirements. James Rosemeyer – no. Motion carried.

CORRESPONDENCE RELATING TO U OF BRIDGEPORT COLLEGE OF CHIROPRACTIC CE COURSES

MOTION: Char Glocke moved, seconded by James Rosemeyer, to deny the requests to reconsider approving the November 19, 2000 course offered by the University of Bridgeport College of Chiropractic. The denial of approval stands, as the initial request for approval was not received in a timely manner. Motion carried unanimously.

CORRESPONDENCE FROM DR JAMES APPEL

MOTION: Char Glocke moved, seconded by James Rosemeyer, to grant Dr. James Appel an extension of time to March 1, 2001 to complete his 40 hours of CE for the 1999-2000 biennium. Motion carried unanimously.

DRAFT RULE CHANGES REGARDING SPECIFIC CONTINUING EDUCATION REQUIREMENTS

Some revisions to the draft language were made after comments at the public hearing.

MOTION: James Greenwald moved, seconded by James Rosemeyer, to proceed with the draft language as amended with publication of CE changes in the *Regulatory Digest*. Char Glocke – no. Motion carried.

DRAFT RULE RELATING TO UTILIZATION REVIEWS

The Board discussed the issue of utilization review and possible required criteria for individuals conducting these reviews. Further discussion is needed.

RECONFIRM 2001 MEETING DATES

The Chiropractic Examining Board's 2001 meetings dates are January 18, February 8, March 8, April 5, May 10, June 14, July 19, August 9, September 13, October 11, November 15 and December 13.

DRAFT RULE RELATING TO DEFINING "ADJUSTMENT"

The Board discussed this issue, but further discussion is needed.

AMERICAN BOARD OF CHIROPRACTIC CONSULTANTS CERTIFICATION

The Board reviewed the information from the American Board of Chiropractic Consultants (ABCC). It is unclear whether or not ABCC is asking for the coursework to be considered for CE hours. James Rosemeyer will write to ABCC and ask about subluxation.

CORRESPONDENCE RELATING TO NEEDLE EMG QUALIFICATIONS

The Board reviewed correspondence from Dr. Robert Servais and Dr. Leo Bronston regarding the Board's omission of recognizing the diplomat status of the American Chiropractic Academy of Neurology (DACAN) as a qualification for the operation of NEMG equipment. This omission will be corrected in the next *Regulatory Digest*. John Schweitzer will respond to Drs. Servais and Bronston that this correction will be made.

PRECEPTOR APPROVALS

MOTION: Char Glocke moved, seconded by Bevier Sleight, to approve **Scott Bautch, Bryan Gerondale, Annette Harel, Robert Sell and Michael Wayda** as preceptors. Motion carried unanimously.

FCLB ANNUAL MEETING

James Rosemeyer will represent the Board at the annual FCLB meeting April 4-8, 2001 in San Antonio, Texas.

NBCE INFORMATIONAL ITEMS

These items were informational.

DISCUSSION OF HOW TO HANDLE REPEAT OFFENDERS

This matter will be discussed in depth with DOE during closed session.

RECESS TO CLOSED SESSION

MOTION: Bevier Sleight moved, seconded by James Rosemeyer, to recess to closed session pursuant to Chapter 19.85(1)(a), (b), (f) and (g), Wis. Stats., for the purpose of deliberation of orders fixing costs, considering a request for termination of suspension, reviewing applications, reviewing case status reports, reviewing results of November exam and consulting with legal counsel. Roll call vote: Dale Strama – yes, James Greenwald – yes, Bevier Sleight – yes, James Rosemeyer – yes, Char Glocke - yes. Motion carried unanimously.

Open session recessed at 11:55 a.m.

RECONVENE IN OPEN SESSION

MOTION: Bevier Sleight moved, seconded by James Rosemeyer, to reconvene in open session. Motion carried unanimously.

Open session reconvened at 2:51 p.m.

VOTING ON ITEMS CONSIDERED/DELIBERATED ON IN CLOSED SESSION

ORDERS FIXING COSTS

JOHN T RIEGELMAN, DC

Dale Strama left the room prior to deliberation and was absent for voting. Bevier Sleight assumed the duties of Chair.

MOTION: Char Glocke moved, seconded by James Rosemeyer, to deny the settlement offer in the matter concerning John T. Riegelman, DC. Motion carried unanimously.

MOTION: James Greenwald moved, seconded by James Rosemeyer, to adopt the Order Fixing Costs in the matter concerning John T. Riegelman, DC. Motion carried unanimously.

Dale Strama returned to the room and resumed as Chair.

RICHARD GOLDE, DC

MOTION: Char Glocke moved, seconded by Bevier Sleight, to adopt the Order Fixing Costs in the matter concerning Richard Golde, DC. Motion carried unanimously.

APPLICATION REVIEWS

DAVID R BREITBACH, DC

MOTION: James Rosemeyer moved, seconded by James Greenwald, to approve the endorsement application of David R. Breitbach, DC. Motion carried unanimously.

SUSAN L BREITBACH, DC

The Board reviewed the application of Susan L. Breitbach, DC. No Board action was necessary.

JON SAUNDERS

The Board reviewed the application and CE hours of Jon Saunders. It was determined that Mr. Saunders has only 29.2 CE hours for the 1999-2000 biennium.

REQUEST FOR TERMINATION OF SUSPENSION

LEIF HELLING, DC

Dale Strama left the room prior to deliberation and was absent for voting. Bevier Sleight assumed the duties of Chair.

MOTION: James Rosemeyer moved, seconded by Char Glocke, to reinstate the license of Leif Helling, DC with the following limitations: 1) Dr. Helling must continue psychotherapy until terminated by the psychotherapist, with semi-annual reports to the Board from the psychotherapist, and 2) Dr. Helling must complete four (4) hours of CE in boundaries per biennium until such time as Dr. Helling petitions the Board for a modification and the board grants such modification. Motion carried unanimously.

Dale Strama returned to the room and resumed as Chair.

CASE STATUS REPORT

MOTION: James Rosemeyer moved, seconded by Char Glocke, to close complaint **00 CHI 028** for no violation. Case advisor – James Rosemeyer. Motion carried unanimously.

MOTION: Bevier Sleight moved, seconded by Char Glocke, to close complaint **97 CHI 031** for no violation. Case advisor – James Rosemeyer. Motion carried unanimously.

MOTION: Bevier Sleight moved, seconded by James Greenwald, to close complaint **00 CHI 0171** for no violation. Case advisor – James Rosemeyer. Motion carried unanimously.

MOTION: Char Glocke moved, seconded by James Greenwald, to close complaint **97 CHI 032** for prosecutorial discretion with compliance gained. Case advisor – Dale Strama. Motion carried unanimously.

MOTION: James Greenwald moved, seconded by Bevier Sleight, to close complaint **00 CHI 042** for prosecutorial discretion with compliance gained. Motion carried unanimously.

INFORMATIONAL ITEMS

These items were noted by the Board.

ADJOURNMENT

MOTION: James Rosemeyer moved, seconded by Char Glocke, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 2:51 p.m.

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